

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 4, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:05 p.m. Mayor Golding adjourned the meeting at 4:13 p.m. to meet in Closed Session on Tuesday, January 5, 1993 at 9:30 a.m. in the 12th Floor Conference Room to discuss pending litigation, significant exposure to litigation and meet and confer issues.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Vacant
Clerk-Abdelnour (so)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
(M) Mayor Golding-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Vacant

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Will Vaus of the North City Presbyterian Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wolfsheimer.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER AND COUNCIL MEMBER
WOLFSHEIMER

Theresa Yianilos discussed problems with the Planning Department's Schedule of Fees and Deposits while building her home.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A034-074.)

ITEM-PC-2: REFERRED TO A PF&R COMMITTEE MEETING IN SPRING,
1993

Thaddeus Kozminski presented a petition opposing bulldozing at the Balboa Park Golf Course during renovation.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A074-100.)

ITEM-PC-3:

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Don Stillwell presented a monogrammed bible and a video to Mayor Golding.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A100-108.)

COUNCIL COMMENT:

ITEM-CC-1:

Mayor Golding wore her Chargers' T-shirt and congratulated the team on its victory against Kansas City.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A108-110.)

ITEM-CC-2:

Council Member Stevens proposed a "Charger Day."

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A110-118.)

ITEM-CC-3:

Council Member Behr clarified that the Mira Lago Park project will be discussed on January 11, 1993.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A118-121.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
11/18/92 Special Meeting

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11/23/92
11/24/92
11/24/92 Special Meeting
11/30/92 Adjourned
12/01/92 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A121-130.)

MOTION BY WOLFSHEIMER TO APPROVE. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-ineligible.

* ITEM-50: (O-93-82) ADOPTED AS ORDINANCE O-17884 (New
Series)

Amending Chapter VIII, Article 6, of the San Diego
Municipal Code by amending Section 86.23, relating to
Vehicle Parking, to prohibit the parking of unattended,
attached or unattached vehicle trailers within the
public right-of-way.
(Introduced on 12/8/92. Council voted 8-0. District 8
not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING
AND ADOPT. Second by Roberts. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District
8-vacant, Mayor Golding-yea.

ITEM-51: (O-93-100 Cor. Copy) ADOPTED AS ORDINANCE O-17885
(New Series)

Amending the pipeline provision of Ordinance O-17838,
which amended Chapter X, Article 1, Division 8 of the

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San Diego Municipal Code relating to Tandem Parking.
(Introduced on 12/8/92. Council voted 8-0. District 8
not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C208-450.)

Motion by McCarty to adopt as amended that the pipeline provision extend the availability of the tandem parking option to April 30, 1993, or until the effective date of a reconsidered City Council amendment of the tandem parking ordinance, whichever occurs first. Preliminary review indicates that approximately 18 multifamily projects with a total of 615 units have the potential to be affected. If the City Council votes to amend the tandem parking ordinance again after reconsideration on January 26, the effective date of that ordinance would be March 11, 1993. No vote.

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE WITH DIRECTION TO THE CITY MANAGER TO FIND OUT WHY IT TOOK STAFF UNTIL DECEMBER 22, 1992 TO SEND A LETTER TO THE COMMUNITY PLANNING GROUPS SEEKING INPUT ON THIS ISSUE WHEN COUNCIL GAVE DIRECTION ON DECEMBER 7, 1992. THE CITY MANAGER IS ALSO DIRECTED TO RETURN ON JANUARY 26, 1993 WITH A POLICY ON PROJECTS IN THE PIPELINE THAT HAVE APPROVED BUILDING PERMITS WITH FEES PAID BUT HAVE EXPIRED AND WHETHER OR NOT THESE PERMITS ARE SUBJECT TO THE ORDINANCE OR IF IT IS JUST A MATTER OF RESUBMITTING THE PERMITS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-52: (O-93-101) TRAILED TO JANUARY 5, 1993 PENDING
CLOSED SESSION

Setting aside and dedicating portions of Lot 73 of Rancho Mission of San Diego, Map-330, for a public park.
(Mission Trails Regional Park Community Area.
District-7.

Introduced on 12/8/92. Council voted 8-0. District 8

not present.)

NOTE: See Item 201 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A130-140.)

* ITEM-100: (R-93-499) ADOPTED AS RESOLUTION R-281273

Awarding a contract to Arenson Office Furniture for the purchase of miscellaneous chairs with pneumatic height adjustment and matching guest chairs, for an estimated cost of \$49,856, including tax, as may be required for a period of one year beginning November 1, 1992 through October 31, 1993, with options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 10 percent. (BID-H3463/93)

FILE LOCATION: CONT - Purchase - Arenson Office
Furniture CONFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-101: (R-93-496) ADOPTED AS RESOLUTION R-281274

Awarding a contract to Barrett Engineered Pumps for the purchase of two trailer mounted pumps for system water pressure maintenance for a total cost of \$81,866.30; authorizing the expenditure of an amount not to exceed \$81,866.30 from Department No. 700, Organization No. 845, Object Account No. 6010, and Job Order No. 015408, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice

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Awarding a contract to El Cajon Ford for the purchase of two 14,500 GVW service maintenance trucks (Ford F47 Super Duty with service body) and seven 14,500 GVW valve operator trucks (Ford F47 Super duty with heavy

duty hydraulic valve turner and service body) for a total cost of \$293,101.55, including tax and terms; authorizing the expenditure of not to exceed \$293,101.55 from Fund 50031, Department Nos. 8201 and 8203, Object Account No. 6013, and Job Order Nos. 88093, 88083, and 88073 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-C3393/93)
Aud. Cert. 9300538.

FILE LOCATION: CONT - Purchase - El Cajon Ford
 CONTFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-104: (R-93-903) CONTINUED TO JANUARY 25, 1993

Inviting bids for the Construction of Inspiration Point Parking Lot on Work Order No. 112097; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$219,594 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, San Diego Facility and Equipment Leasing Construction Fund 91101, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, within the San Diego Facility and Equipment Leasing Construction Fund.
(BID-K3536/93)
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION:

Inspiration Point Parking Lot is located at the southeast corner of Park Boulevard and Presidents Way, at the Old Naval Hospital Site, in the Balboa Park Community Plan area. The dire condition

of the existing parking lot has made it difficult for the current lessee to renew their insurance policy. Unless the deficiencies are corrected, the lessee may not be able to renew their required insurance policy. Also, the City occasionally issues special event permits for this site. Event promoters have also expressed difficulty with obtaining insurance coverage due to the condition of the lot. The proposed project will provide for the complete resurfacing and restripping of the lower parking area. The proposed configuration will maintain the existing 824 parking spaces presently provided.

Aud. Cert. 9300384.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A160-216; A172-180.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 25, 1993 AT THE REQUEST OF COUNCIL MEMBER HARTLEY FOR FURTHER REVIEW.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-105: (R-93-906) ADOPTED AS RESOLUTION R-281277

Inviting bids for Construction of Aero Drive Industrial Park on Work Order No. 119129; authorizing the execution of a contract with the lowest responsible bidder; authorizing the transfer of \$149,869.00 from CIP- 58-004.0, Miscellaneous Requirements - City Streets (TransNet Fund 30300) to CIP-39-052.0, Aero Drive Industrial Park; authorizing the expenditure of not to exceed \$764,700.00 (\$229,494.00 new authorization from CIP-39-052.0; and \$149,869.00 transferred from CIP-58-004.0), from CIP-39-052.0, for the purpose of executing this contract and related costs;

declaring that the City of San Diego, as Lead Agency, has reviewed and considered the final environmental document.

(BID-K3540/93)

(Serra Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION:

The original CIP project subdivided City-owned land to develop the Aero Drive Industrial Park. The project includes the preparation of a subdivision map, public improvement and grading plans, and the construction contracts for grading and public improvements. Due to scheduling and development considerations, the subdivision map and grading portion (Phase I) of the work was accelerated with the public improvements (Phase II) to follow. This project covers the public improvements that are a requirement of the filed subdivision map. The improvements in Aero Drive between Ruffin Road and West Canyon Drive, include a raised median, street lights, fire hydrants, sidewalk, and a storm drain system. The budget for the total project per the CIP program is \$2,163,000. To date, \$1,548,169 has been expended. It is estimated that the new construction contract will be \$623,900, with a total project cost of \$764,700. This final phase of the project will require the authorization for expenditure of remaining funds and the redistribution of the remaining unencumbered funds.
Aud. Cert. 9300430.

FILE LOCATION: W.O. 119129 CONT-L. R. Hubbard Construction
Co., Inc. CONFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-106: (R-93-905) ADOPTED AS RESOLUTION R-281278

Inviting bids for the Construction of Epoxy Deck
Treatment of West Mission Bay Drive Bridge Over the
Mission Bay Channel on Work Order No. 119901;
authorizing the execution of a contract with the lowest
responsible bidder; authorizing the expenditure of not
to exceed \$537,000, releasing funds previously
authorized per R-279688 and R-275960 totalling \$484,737
and requesting an additional \$52,263 from Gas Tax Fund
30219 appropriated in Bridge Maintenance funds, for
said project and related costs; authorizing the Auditor
and Comptroller, upon advice from the administering
department, to transfer excess budgeted funds, if any,

to the appropriate reserves. (BID-K3527/93)
(Mission Bay Park Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION:

The West Mission Bay bridge over the Mission Bay channel is 1,188 feet long and provides four 12-foot wide lanes. In recent years, progressive physical damage to the bridge deck has occurred. Linear fractures and delaminations have produced a rough riding surface, necessitating frequent deck repairs. This project will repair and overlay the bridge deck to prevent further deterioration of the existing substrate while providing a relatively impermeable, skid resistant wearing surface, thereby reducing maintenance costs.

Aud. Cert. 9300514.

FILE LOCATION: W.O. 119901 CONT - Peterson-Chase General
Engineering Construction, Inc. CONFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-107: (R-93-904) ADOPTED AS RESOLUTION R-281279

Rejecting all bids received on June 25, 1992 and
re-advertising for bids for Construction of North Park
Community Park Improvements on Work Order No. 119163;
authorizing the execution of a contract with the lowest
responsible bidder.
(BID-K3184/92A)
(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION:

North Park Community Park is located at 4044 Idaho Street in the Greater North Park Community Planning Area. North Park Community Park - Requirements project will provide for improvements at the North Park Adult Center and the Community Park. The improvements include new tennis court lighting, renovation and upgrade to enhance disabled access of the Adult Center restrooms, repair to the Adult Center foundation, and reconstruction of the tennis courts, concrete walkways, and one shuffleboard court. Council

approved plans and specifications and authorized the Purchasing Agent to advertise for bids on June 1, 1992. Bids were received on June 25, 1992 and L.R. Hubbard Construction Company, Inc., was the apparent low bidder. L.R. Hubbard Construction Company, Inc. failed to demonstrate their good faith effort to comply with the City's MBE/WBE program goals. Therefore, it is recommended that all bids be rejected and the project be readvertised.
Aud. Cert. 9200686.

FILE LOCATION: W.O. 119163 CONT-L.R. Hubbard Construction
Co., Inc. CONFY93-1
COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-108: (R-93-959) ADOPTED AS RESOLUTION R-281280

Approving the final map of the Villas of Renaissance, a
27-lot subdivision, located southeasterly of La Jolla
Village Drive and Towne Centre Drive.
(University Community Area. District-1.)

FILE LOCATION: SUBD - Villas of Renaissance
COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-nay.

* ITEM-109:

Three actions relative to the final subdivision map of
South Creek Parcels 35-48 Unit No. 3, a 69-lot
subdivision located northeasterly of Springhurst Drive
and Mountain Pass Road:
(Sabre Springs Community Area. District-5.)

Subitem-A: (R-93-949) ADOPTED AS RESOLUTION R-281281

Authorizing the execution of a Subdivision Improvement Agreement with Pardee, for the installation and completion of public improvements.

Subitem-B: (R-93-948) ADOPTED AS RESOLUTION R-281282

Approving the final map.

Subitem-C: (R-93-950) ADOPTED AS RESOLUTION R-281283

Approving the acceptance by the City Manager of a grant deed of Pardee, granting to the City Lot 67 of South Creek Parcel 35-48 Unit No. 3.

FILE LOCATION: Subitems-A and B: SUBD - South Creek
Parcels 35-48 Unit No. 3; Subitem-C:
DEED F-5945 CONTFY93-1; DEED FY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-110:

Two actions relative to Partial Release of Surety and
Extension of Time for Carmel Mountain Ranch 20-B Unit
2:
(Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-93-1006) ADOPTED AS RESOLUTION R-281284

Granting an extension of time to April 30, 1994, to
Carmel Mountain Ranch, subdivider, to complete the
required improvements in Carmel Mountain Ranch 20-B
Unit 2.

Subitem-B: (R-93-1007) ADOPTED AS RESOLUTION R-281285

Releasing a portion of the surety issued by Allied

Mutual Insurance Company in the form of Performance Bond No. 7900 525650 so that the same is reduced as follows:

1. For faithful performance, to the sum of \$274,939.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$137,469.50.

CITY MANAGER SUPPORTING INFORMATION:

On February 27, 1989, the City entered into an agreement with Carmel Mountain Ranch, a California Partnership, for the construction of public improvements for Carmel Mountain Ranch 20-B Unit 2. Performance Bond. No 7900 525650 issued by Allied Mutual Insurance Company in the amount of \$956,310 was provided by the subdivider. The agreement expired February 27, 1991. The subdivider has requested a partial release of surety and an extension of time to April 30, 1994 in which to complete the required improvements. Ninety-five percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety up to \$274,939.

FILE LOCATION: SUBD - Carmel Mountain Ranch 20-B Unit 2

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-111:

Two actions relative to Partial Release of Surety and

Extension of Time for Carmel Mountain Ranch 20-B Unit
3:

(Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-93-1008) ADOPTED AS RESOLUTION R-281286

Granting an extension of time to April 30, 1994 to
Carmel Mountain Ranch, subdivider, to complete the
required improvements in Carmel Mountain Ranch 20-B
Unit 3.

Subitem-B: (R-93-1009) ADOPTED AS RESOLUTION R-281287

Releasing a portion of the surety issued by Allied
Mutual Insurance Company in the form of Performance
Bond No. 7900 526773, so that the same is reduced as
follows:

1. For faithful performance, to the sum of \$357,641.
2. For the benefit of the contractors, subcontractor
and to persons renting equipment or furnishing labor or
materials, to the sum of \$178,820.50.

CITY MANAGER SUPPORTING INFORMATION:

On February 27, 1989, the City entered into an agreement with Carmel Mountain Ranch, a California General Partnership, for the construction of public improvements for Carmel Mountain Ranch 20-B Unit 3. Performance Bond No. 7900 526773 issued by Allied Mutual Insurance Company in the amount of \$1,243,969 was provided by the subdivider. The agreement expired on February 27, 1991. The subdivider has requested a partial release of surety and an extension of time to April 30, 1994 in which to complete the required improvements. Ninety-five percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety to \$357,641.

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FILE LOCATION: SUBD - Carmel Mountain Ranch 20-B Unit #3

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-112: (R-93-934) ADOPTED AS RESOLUTION R-281288

Granting an extension of time to July 2, 1994, to
Robert Egger, Jr., Mary E. Odermatt and Walter T.
Egger, subdivider, to complete the improvements
required for Siempre Viva Business Park.
(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION:

On July 2, 1990, the City entered into an agreement with Robert Egger, Jr., Mary Emma Odermatt and Paul Joseph Odermatt, and Walter T. Egger and Marianne Egger for the construction of public improvements for Siempre Viva Business Park. The agreement expired on July 2, 1992. The subdivider has requested an extension of time to July 2, 1994 in which to complete the required improvements. No work has been started on this project. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Siempre Viva Business Park

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-113:

Two actions relative to Black Mountain Road:

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-93-824) ADOPTED AS RESOLUTION R-281289

Approving the acceptance by the City Manager of a grant deed of Calmat Properties Co., granting to the City an easement for public street purposes in a portion of Lot 4 of Carroll Canyon Centre;
dedicating said land as and for a public street and naming the same Black Mountain Road.

Subitem-B: (R-93-826) ADOPTED AS RESOLUTION R-281290

Stating that the information contained in Negative Declaration DEP-91-0486 and Mitigation, Monitoring and Reporting Program, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the final environmental document reflects the independent judgement of the City as Lead Agency, and has been reviewed and considered by the Council.

FILE LOCATION: DEED F-5946 DEEDFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-114: (R-93-882) ADOPTED AS RESOLUTION R-281291

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company, an easement for electrical services to a City lessee, Three C Growers, in a portion of San Pasqual Valley.
(San Pasqual Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION:

Three C Growers, a City lessee, requested additional electrical service from SDG&E for a new well being installed on their leasehold premises in the San Pasqual Valley. In order to accommodate the request, SDG&E will require an easement from the

City. The proposed easement will be 12 feet wide and approximately 375 feet long. The lessee has agreed to have the poles and lines removed upon lease expiration if so requested by the City. The City's Water Utilities Department and the Agricultural Lease Manager have reviewed the request and recommend approval of the easement.

FILE LOCATION: DEED F-5947 DEEDFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-115: (R-93-962) ADOPTED AS RESOLUTION R-281292

Authorizing the sale by negotiation of City owned land, described as a portion of the North Half of Quarter Section 74, Rancho de la Nacion, and a portion of the South Half of the Northwest Quarter of Quarter Section 83, Rancho de la Nacion to the State of California, Department of Transportation (CalTrans) for the sum of \$5,300; authorizing the execution of a grant deed, conveying the property to CalTrans; declaring that no broker's commission shall be paid by the City on the negotiated sale.

(Paradise Hills and Bonita Community Areas. District-4 and County.)

CITY MANAGER SUPPORTING INFORMATION:

The subject property is required by CalTrans for State Route 54. The project calls for widening the existing 4-lane expressway to an 8-lane freeway in and near National City and San Diego, west and east of Route 805. The subject consists of portions of two pipeline parcels located between Reo Drive and Woodman Street. The parcels are narrow, steeply sloping, and are zoned RR-2 and R1-5000. The property was acquired by the City for Water Utility pipeline purposes. The Water Utilities Department has reviewed the proposed sale and has no opposition. A pipeline easement has been reserved. A realignment of the pipeline will be accomplished through a Consent to Common Usage Agreement between Water Utilities and CalTrans. The parcels were appraised at

\$5,300 by a CalTrans staff appraiser and reviewed by City of San Diego Valuation Staff.

FILE LOCATION: DEED F-5948 DEEDFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-116: (R-93-938) ADOPTED AS RESOLUTION R-281293

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owners, Raymond and Bre'an Fox, for the sale of 2,154 square feet of City owned property on the northwest corner of Brandywine Street and Paul Jones Avenue, being a portion of Lots 20-30, Block 13, American Park.
(See City Manager Report CMR-93-01. Clairemont Community Area. District-6.)

FILE LOCATION: DEED F-5949 DEEDFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-117: (R-93-875) ADOPTED AS RESOLUTION R-281294

Appointing Elmer A. Keen as a representative of Citizens Coordinate for Century 3 to the Clean Water Program Oversight Committee, replacing Frederick M. Marks, who has resigned.
(See Mr. Keen's resume.)

CITY MANAGER SUPPORTING INFORMATION:

In October 1991, the Council requested a review of the Clean Water Program by a Special Committee consisting of the Executive

Committee of the Metropolitan Sewer Task Force and the Chair of the Clean Water Program Governance Advisory Group. This review was completed in late November 1991, and contained several recommendations, among which is the creation of an oversight committee to provide Council with an independent appraisal of the Clean Water Program's direction and progress. The Committee would consist of ten individuals whose backgrounds and areas of interest enable them to give sound advice on large-scale public projects. On October 3, 1992, City Council approved creation of a Clean Water Program Oversight Committee. Frederick Marks was appointed to represent Citizens Coordinate for Century 3. Due to other commitments, Mr. Marks is resigning from the Committee. It is recommended that Elmer A. Keen be appointed to represent Citizens Coordinate for Century 3.
WU-CWP-93-057.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-118: (R-93-1098) ADOPTED AS RESOLUTION R-281295

Declaring December 10, 1992 as "University of San Diego Toreros Day" in San Diego.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: A160-216; A182-195.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-119: (R-93-773) ADOPTED AS RESOLUTION R-281296

Authorizing the execution of an agreement with the

California Department of Transportation (CalTrans) for the construction of the Downtown Trolley Priority System; authorizing the City Manager to accept a Traffic Systems Management Plan grant from the California Department of Transportation in the amount of \$68,000 for the Downtown Trolley Priority System; establishing Capital Outlay Fund No. 38519, "Downtown Trolley Priority System"; modifying the Fiscal Year 1993 Capital Improvements Program, Annual Appropriations Budget, Ordinance O-17807 (NS) by adding CIP-63-015.0, Downtown Trolley Priority System; authorizing the transfer of an amount not to exceed \$68,000 from Capital Outlay Grant Fund No. 38519 to CIP-63-015.0; authorizing the expenditure of an amount not to exceed \$68,000 from CIP-63-015.0, for the project.
(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION:

The California Department of Transportation has awarded the City \$68,000 for traffic signal improvements along the San Diego Trolley line in the downtown area.

The grant award is through the Traffic Systems Management plan grant program and is funded by Gas Tax revenues from Proposition 111, which was approved by voters in June, 1990. The Traffic Systems Management Plan grant program is earmarked for projects which increase the efficiency of the transportation network within existing rights-of-way. This project will provide special trolley signals and better detection for the trolley, and also improve service for vehicles and pedestrians crossing the trolley lines. Staff will work closely with the Metropolitan Transit Development Board and San Diego Trolley in the implementation of this project.

Aud. Cert. 9300414.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-120: (R-93-964) ADOPTED AS RESOLUTION R-281297

Authorizing the City Manager to waive an audit deficiency for the period of July 1, 1989 through November 30, 1991 and past due rent for January through April 1992 for the Torrey Pines Flight Park, in the total amount of \$12,694.31.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

The City entered into a five-year concession agreement with Mr. William E. Bennett, dba Torrey Pines Flight Park, Inc., in 1988 for the non-powered aircraft concession at the Torrey Pines Gliderport. The City Manager subsequently asked Mr. Bennett to take on additional duties at the gliderport, which necessitated the cancellation of the existing agreement and the negotiation of an interim agreement. The agreement was negotiated to vest sole responsibility for flight direction and safety matters at the gliderport with Mr. Bennett. These responsibilities were previously shared by Mr. Bennett and the Torrey Pines Soaring Council, whose permit expired on May 31, 1992. The interim agreement would be effective from May 1, 1992 through January 31, 1993 and requires Mr. Bennett to assume additional duties that were previously handled by the City, including maintenance of the premises and providing portable sanitary facilities for the site. In addition, Mr. Bennett would have a full-time flight director on site to coordinate flight operations. At the urging of the City Attorney and Risk Management Offices, the City will receive no rent from Mr. Bennett during the interim agreement. As a result of this arrangement, the City's liability from potential accidents at the gliderport will be greatly reduced. In return for Mr. Bennett handling these responsibilities, the City Manager is proposing to waive an audit deficiency for the period of July 1, 1989 through November 30, 1991 and the past due rent from January through April 1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-121: (R-93-969) ADOPTED AS RESOLUTION R-281298

Modifying the Fiscal Year 1993 CIP budget by adding CIP-29-798.0 - Colina Del Sol Community Park - Security Lighting, CIP-29-799.0 - Memorial Community Park - Security Lighting, CIP-29-800.0 - South Bay Community Park - Parking Lot; authorizing the City Auditor and Comptroller to transfer \$35,000 from Fund No. 11610 to CIP-29-798.0, Colina Del Sol Community Park - Security Lighting;

\$35,000 from Fund No. 79511 to CIP-29-799.0, Memorial Community Park - Security Lighting; and \$250,000 from Fund No. 11730 to CIP-29-800.0, South Bay Community Park - Parking Lot; authorizing the use of City Forces to construct security lighting at Colina Del Sol Community Park and Memorial Community Park; authorizing the expenditure of an amount not to exceed \$70,000, consisting of \$35,000 from CIP-29-798.0, Colina del Sol Community Park - Security Lighting, PSD Fund No. 11610, and \$35,000 from CIP-29-799.0, Memorial Community Park - Security Lighting, DIF Fund No. 79511, for providing funds for the above lighting projects.

(Mid-City, Southeast San Diego, Otay Mesa/Nestor Community Areas. Districts-2, 7 and 8.)

CITY MANAGER SUPPORTING INFORMATION:

This action will add three projects to the FY 93 CIP. Additional security lighting will be provided at Colina del Sol Community Park and at Memorial Community Park. Additional parking spaces will be provided at South Bay Community Park. The design of the parking lot extension will be done by a consultant and the construction will be done by a City contract. If existing workloads permit, the lighting projects will be done using City forces to expedite the process and to reduce total project costs. The total project costs will be about 30 percent less and the time to accomplish the work will be about one year less using City forces.

Aud. Cert. 9300478.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C450-533.)

MOTION BY McCARTY TO ADOPT WITH DIRECTION TO THE MANAGER FOR PARK AND RECREATION DIRECTOR LOVELAND TO MEET WITH COUNCIL

MEMBER McCARTY TO DISCUSS THE DATE THE SECURITY LIGHTING WILL BE COMPLETED. COUNCIL MEMBER McCARTY WILL INVITE SOMEONE FROM THE COMMUNITY TO ATTEND THE MEETING FOR INPUT ON THE PLACEMENT OF THE SECURITY LIGHTING IN COLINA DEL SOL COMMUNITY PARK. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-122: (R-93-1024) ADOPTED AS RESOLUTION R-281299

Authorizing the execution of an agreement with Barrett Consulting Group, for engineering services in connection with Pump Station 61 improvements; authorizing the expenditure of an amount not to exceed \$192,730 from Sewer Revenue Fund 41506, CIP-46-106.0, Annual Allocation for Sewer Pump Station Restoration, for providing funds for the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for engineering design services for the upgrade and replacement of Sewer Pump Station No. 61 located at 5074 Mercury Street. Built in 1972, the existing pump station has experienced operational and maintenance problems. Project design by a consultant is recommended to provide adequate staff with sufficient expertise. A list of six consultants was provided by the City's Consultant Coordinator. Five consultants were interviewed in accordance with Council Policy 300-7, and Barrett Consulting Group was selected, with Beyaz and Patel, Inc. declining to interview. Barrett's responsibilities will include a preliminary design study, preparation of the construction plans, specifications and cost estimates for a new pump station, emergency generator and force main, and support services during bidding and construction, for a contract amount not to exceed \$192,730. Project sub-consultants are:

SOTA (MBE), Geotechnical Engineering \$7,400;
Universal Structures (MBE), Structural Engineering \$3,900;
Kanrad Engineering (MBE), Electrical Engineering \$15,000; and
Urban Systems Associates (WBE), Traffic Engineering \$10,800.

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Aud. Cert. 9300570.
WU-U-93-048.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-123: (R-93-963) ADOPTED AS RESOLUTION R-281300

Authorizing the execution of a Right-of-Entry Permit
with the United States Department of Justice,
Immigration and Naturalization Service, for a 20-year
term, for the installation and maintenance of a
secondary border fence on the north side of the levee
along the Tijuana River Flood Control Channel near the
International Border.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION:

The U.S. Dept. of Justice - Immigration and Naturalization
Service (INS) has submitted a request to the City for permission
to install a secondary border fence, at its own expense, on
City-owned property along the north side of the Tijuana River
Control Channel levee from Dairy Mart Rd. to the Border Truck
Crossing at Virginia Ave. The second fence will be made of steel
matting, approximately 12 to 15 feet in height and about and 2
1/2 to 3 miles in length, similar to that of the existing fence
along the International Border. By constructing this fence, the
INS is attempting to funnel the flow of undocumented aliens and
smugglers toward Dairy Mart Rd., where they may be apprehended by
Border Patrol Agents, and to reduce the number of pedestrians
crossing of I-5 and I-805 freeways. The City Manager proposes to
issue a 20 year Right-of-Entry Permit to the INS under the
following terms:

USE:

Installation and maintenance of secondary border fence.

OTHER PROVISIONS:

- a) Permit is revocable by City at any time; b) U.S. Dept.
of Justice is self-insured; c) Maintenance responsibility

for the fence is the INS; d) Should permit be revoked, INS will be responsible for the removal of the fence, at their expense.

FILE LOCATION: LEAS - United States Department of
Justice, Immigration and Naturalization
Service LEASFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-124: (R-93-998) ADOPTED AS RESOLUTION R-281301

Authorizing the expenditure of an amount not to exceed \$44,064 from Fund 100, Dept. 535, Org. 102, Account 4682, Job Order 5153, for Fiscal Year 1993 costs, for the execution of a five-year lease agreement with the United States Department of the Navy for transmitter space in the Navy's Mt. Soledad telecommunications facility, retroactive to July 1, 1992, at an annual cost to the City of \$44,064.
(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

The City has had a presence in the Navy's communications facility on Mt. Soledad since 1950. The City has some 24 radio transmitters in the facility which are an integral part of the City's Public Safety Communications System. Prior to 1986 the City had a no-cost occupancy permit for one half of the space in the structure. In 1986, the Navy requested \$50,000 per year for this space, citing the need to generate revenue from the site. The City then negotiated a yearly rental of \$12,500 for 24 transmitter rack spaces, or \$43.40 per rack per month, the current rate. In early 1992 the Navy proposed a new short term lease and requested a yearly rent of \$64,800 based on a directive to charge market rent for the rack space. The City asked for a delay, and incremental step up to the market rates. The City and Navy have negotiated a five-year agreement for transmitter space beginning July 1, 1992 with a rental of \$44,064 for the first year, (\$153 per rack per month) increasing to \$64,800 (\$225 per

rack per month) for years two through five. Staff has reviewed the market for comparable communication sites and believes the rate negotiated for rack space is fair. On a separate but related matter the City renewed its ground lease agreement for the 800MHZ system with the Navy on Mt. Soledad at a rental rate of \$25,000 per year. The rent was formerly \$2,500 annually. The rent was increased based upon Fair Market Value appraisal of the site. The ground lease expires in December 1995.
Aud. Cert. 9300554.

FILE LOCATION: LEAS - United States Department of the
Navy LEASFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, District 8-vacant, Mayor Golding-yea.

* ITEM-125: (R-93-1003) ADOPTED AS RESOLUTION R-281302

Approving Change Order No. 9, dated August 12, 1992, in connection with the contract with Kim Construction Co., Inc. regarding Sewer Group 97, amounting to a net increase in the contract price of \$7,500; authorizing the expenditure of an amount not to exceed \$7,500 from Sewer Revenue Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement to fund this change order.

(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION:

Kim Construction Company, contractor for Sewer Group 97, began installation of 8-inch and 10-inch sewer mains on January 6, 1992. Nearly 50 percent of the approximate 5,464 feet of sewer main is installed. Although most of the installation proceeded according to plan, there were some final bid quantity adjustments and several unforeseen problems typically associated with this type of work. Kim Construction Company is asking for additional compensation through Change Order No. 9 for this extra work. Change Order No. 9 for \$7,500 provided the cleanup and maintenance of newly installed sewer mains. Ordinarily City forces review television tapes of new sewers within 5 days of

their television inspection. In this case, several months elapsed before the tapes could be reviewed. This resulted in extended use of temporary street repairs and extra street cleanup by the contractor.

Aud. Cert. 9300544.

WU-U-93-021.

FILE LOCATION: CONT - Kim Construction Co., Inc.
CONFY93-1

COUNCIL ACTION: (Tape location: A160-216.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-150: (R-93-1021 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-281303

Authorizing the City's treatment of sewage from Tijuana, Mexico to continue from the time federal and state funds are exhausted, now estimated as mid-December 1992, until June 30, 1993, at a cost not to exceed \$3,237,000 from the unallotted balance of Fund 40012; directing the City Manager to pursue alternative funding methods for the treatment of Tijuana sewage, to include: an agreement with the U.S. Environmental Protection Agency to credit the City's treatment costs against the City's portion of design costs for the South Bay Land and Ocean Outfall; additional funding from the State of California through the Cleanup and Abatement Fund; supplemental appropriations from the federal government; requesting the International Boundary and Water Commission to ask Mexico to treat as much Tijuana sewage in Mexico as possible.

(See City Manager Report CMR-92-365. San Ysidro, Tijuana River Valley Community Areas. District-8)

COMMITTEE ACTION: Reviewed by PFR on 11/25/92. Recommendation to approve the City Manager's recommendation. Districts 3,5,6 and 7 voted yea.

Aud. Cert. 9300557.

WU-CWP-93-052.

FILE LOCATION: WATER - International Boundary and Water
Commission CONFY93-1

COUNCIL ACTION: (Tape location: A230-B057.)

Motion by Behr to adopt and continue treatment through June, 1993 while encouraging continued efforts to get Federal funding to be appropriately spent in this area. Second by Stallings. Motion withdrawn.

MOTION BY ROBERTS TO ADOPT AS AMENDED TO CONTINUE TREATMENT FOR THREE MONTHS WITH DIRECTION TO THE CITY MANAGER TO CONTINUE EFFORTS TO CONTACT CONGRESSMAN FILNER TO HELP FIND FUNDING FOR THIS PROJECT. THE MANAGER IS DIRECTED TO STAY INVOLVED AND KEEP A SENSE OF URGENCY AS WE MOVE FORWARD DURING THE NEXT THREE MONTHS. RETURN WITH A REPORT WITH VERY SPECIFIC EXAMPLES OF WHERE FURTHER FUNDING WILL COME FROM BY GETTING SUGGESTIONS FROM CONGRESSMAN FILNER AND OTHER INTERESTED COMMITTEES. AGGRESSIVELY PURSUE HAVING THIS ISSUE PLACED ON THE AGENDA OF BORDER ISSUES TO BE DISCUSSED BY PRESIDENT-ELECT CLINTON AND THE PRESIDENT OF MEXICO. GET COMMITMENTS FROM CONGRESS DURING THE NEXT THREE MONTHS REGARDING THE TRADE AGREEMENT AND MEXICO'S OBLIGATION TO MOVE FORWARD WITH ITS NEW ENVIRONMENTAL PLAN, WHICH INCLUDES SEWAGE TREATMENT, SO THE CITY IS NOT PAYING \$6 MILLION WHILE COMPLETING A FEDERAL OBLIGATION. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-200: (R-93-1091) ADOPTED AS AMENDED AS RESOLUTION
R-281304

(Continued from the meeting of December 8, 1992, Item 116, at Councilmember Wolfsheimer's request on behalf of Mayor Golding, for further review.)

Adopting the schedule of meetings for the City Council and Standing Committees of the City Council for the period of February 1, 1993 through December 31, 1993.

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COMMITTEE ACTION: Initiated by COMM on 11/18/92. Recommendation to adopt the proposed calendar. Districts 1,2,3,4,5,6,7 and Mayor voted yea. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B059-204.)

MOTION BY McCARTY TO ADOPT AS AMENDED APPROVING ONLY THE SCHEDULED COUNCIL MEETINGS FOR THE REMAINDER OF THE MONTH OF JANUARY, 1993 AND REFERRING ALL WORKSHOPS TO FUTURE COMMITTEE MEETINGS. ALL COMMITTEE MEETINGS ARE CANCELED FOR THE REMAINDER OF JANUARY UNTIL A RULES COMMITTEE MEETING IS SCHEDULED TO APPOINT COMMITTEE MEMBERS Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-201: (R-93-970) TRAILED TO JANUARY 5, 1993 PENDING
CLOSED SESSION

(Continued from the meeting of December 8, 1992, Item S425C, at Councilmember McCarty's request on behalf of the Attorney's office, to modify the language and to come back at the same time as the Ordinance.)

Adoption of a Resolution creating and setting aside a conservation easement over portions of Lot 73 of Rancho Mission of San Diego, Map-330, being two parcels of 14.93 acres and 3.74 acres located between Spring Canyon Road and Soledad Freeway.
(Mission Trails Regional Park Community Area.
District-7.)

NOTE: See Item 52 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A130-140.)

ITEM-202: (R-93-1029) RETURNED TO THE CITY MANAGER

Authorizing the City Manager to institute foreclosure proceeding against delinquent property owners in the First San Diego River Improvement Project (FSDRIP) Assessment District.
(District-6.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A143-147.)

ITEM-203: (R-93-960) ADOPTED AS RESOLUTION R-281305

(Continued from the meeting of December 8, 1992, Item S413, at Councilmember Wolfsheimer's request on behalf of the community planning group, for further review.)

Authorizing the City Auditor to transfer an amount not to exceed \$106,000 from CIP-58-004, Annual Allocation - Miscellaneous Requirements - City Streets, Fund 30300, to CIP-52-329.0, Torrey Pines Road Slope Reconstruction; authorizing the expenditure of an amount not to exceed \$106,000 from CIP-52-329.0, for supplementing Resolution R-277241 to provide funds for Change Order Nos. 1 through 9, and related engineering costs.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

This project consisted of constructing four high retaining walls adjacent to Torrey Pines Road. Without the wall, Torrey Pines Road would be undermined, causing failure to the roadway and a dangerous condition for the motoring public. The right-of-way in which to do the work was less than 20 feet wide. This limited space necessitated special design considerations as well as special construction and inspection requirements. Due to the limited area and special construction methods, inspection was increased to assure adequate quality control. Additionally, the inspector was required to allocate extra time to assure proper coordination with the residents who were affected by this project. These additional inspection requirements caused \$77,300 of this request. The balance of this request is for charges involving unforeseen conditions, planting the slope to restore original conditions and regrading the access road.
Aud. Cert. 9300526.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B204-C094.)

MOTION BY WOLFSHEIMER TO ADOPT AUTHORIZING THE TRANSFER OF FUNDS TO PAY THE DEBT TO THE CONTRACTOR. THE CITY MANAGER IS TO REDOCKET AN ITEM FOR THE MEETING OF JANUARY 25, 1993 SO THE FOLLOWING DIRECTIVES CAN BE MADE AS A MOTION: 1) EITHER MOVE THE OLEANDERS DOWN THE SLOPE OR MAKE SURE THAT THEY ARE TRIMMED TO A LEVEL WHERE THE VIEW IS NOT OBSCURED; AND 2) REMOVE EITHER ONE FOOT OF THE FENCE OR LOOK INTO THE INSTALLATION OF A MORE ATTRACTIVE FENCE. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-204: (R-93-996) ADOPTED AS RESOLUTION R-281306

(Continued from the meeting of December 8, 1992, Item S422B, at Councilmember Behr's request, for more work to be done on the MOU.)

Authorizing the City Manager to execute a Memorandum of Understanding with the San Diego Unified School District regarding certain future park and school improvements in the Scripps Miramar Ranch community. (Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION:

In January 1992 the City Council approved in concept a Memorandum of Understanding between the City of San Diego and the San Diego Unified School District for future park and school improvements in the Scripps Miramar Ranch community. The City Manager and City Attorney were directed to work with staff of the School District to develop a final Memorandum of Understanding (MOU) for proposed Council approval. The Scripps Miramar Ranch MOU provides that: (1) The School District shall construct athletic playfields on Scripps Ranch High School Campus and the City and the School District shall jointly use a portion of the Scripps Ranch High School campus for a 25-year period at no cost to the City except normal maintenance and operations expenses; (2) The City shall fast-track the District's application for rezoning of a 14-acre site west of Scripps Ranch High School campus; (3) The School District shall convey Ahrens Field to the City at no cost

if a reasonably satisfactory rezoning is approved by the City;
(4) The Fairbrook Elementary School site is surplus to the District's needs, and, after the above rezoning, will be sold to the City at fair market value. Council approval of the MOU is recommended.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: C095-208.)

MOTION BY BEHR TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, District 8-vacant, Mayor Golding-yea.

ITEM-205: (O-93-99) RETURNED TO THE CITY MANAGER

Introduction of an Ordinance amending Section 5 of Ordinance O-17577 (New Series), adopted January 9, 1991, relating to Pacific Beach Rezoning, to read as follows:

Within the Coastal Zone, no permits for development inconsistent with provisions of this Ordinance shall be issued unless release from the provisions of the Single Family Protection Ordinance was denied prior to November 20, 1990, or application for development was submitted prior to November 20, 1990.
(Pacific Beach Community Area. District-2.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A145-159.)

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:13 p.m. in honor of the memory of Ernie Hahn and Ed Thomas.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: C540-588).